



September 5, 2024

Hon. Peggy Kuo  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201  
VIA ECF ONLY

Re: *Shkolir, et. al v. RX2GO, Inc., et. al.*; 1:23-cv-7256-OEM-PK (EDNY)  
STATUS REPORT RE: AMENDING COMPLAINT

Your Honor:

I represent the Plaintiffs in the above-referenced action. Pursuant to the Court's Order dated August 28, 2024 ("The parties are ordered to file, by no later than September 5, 2024, a joint status report indicating whether Defendants will oppose Plaintiffs' proposed motion to amend the [22] Amended Complaint.") we hereby submit the following Status Report.

As indicated in the attached emails Defendants intend to oppose Plaintiffs' proposed Motion to Amend the Amended Complaint. [Dkt. 22]. They have not indicated the substantive basis for their opposition.

Defense counsel has agreed to the following proposed briefing schedule, should indeed such a motion be filed:

- Plaintiffs' motion to amend complaint - 9/23/24
- Response - 10/7/24
- Reply - 10/14/24

Plaintiffs separately suggest, without consent from defense counsel, that in lieu of this motion practice, that the Court instead treat this letter as the motion to amend and grant it so that we can get on with proceedings already, and foreclose this additional procedural delay. In support thereof attached hereto are a declaration by Plaintiff's counsel outlining why this is warranted, exhibits supporting the contentions stated therein, and the proposed Second Amended Complaint.

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Thank you for your consideration.

Sincerely,



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